

The Gazette of India

PUBLISHED BY AUTHORITY

No. 47] NEW DELHI, SATURDAY, NOVEMBER 19, 1955

NOTICE

The under-mentioned Gazettes of India Extraordinary were published upto the 11th November 1955:

Issue No.	No. and date	Issued by	Subject
333	S.R.O. 3436, dated the 8th November 1955.	Ministry of Commerce and Industry.	The Central Government authorises Shri Kedar Nath Khetan to take over the management of Maheshwari Khetan Sugar Mills Ltd., Ramkola.
	S.R.O. 3437, dated the 8th November 1955.	Ditto.	The Central Government authorises Shri Kedar Nath Khetan to take over the management of Ishwari Khetan Sugar Mills Ltd., Lakshmiganj.
334	S.R.O. 3438, dated the 8th November 1955.	Ministry of Food and Agriculture.	Cancellation of the Order in the S.R.O. No. 2406, dated the 16th July 1954.
	S.R.O. 3439, dated the 8th November 1955.	Ditto.	Cancellation of the Order in the S.R.O. No. 2407, dated the 16th July 1954.
335	S.R.O. 3440, dated the 8th November 1955.	Ministry of Commerce and Industry.	The Central Government authorises Shrimati Ravi Rebati Devi to take over the management of Vishnu Pratap Sugar Works Limited, Khadda.
336	S.R.O. 3441, dated the 9th November 1955.	Ministry of Food and Agriculture.	Cancellation of the Order in the S.R.O. No. 3310, dated the 28th October 1954.
337	S.R.O. 3484, dated the 9th November 1955.	Ministry of Labour	Appointment of date on which the provisions of certain Chapters of the Employees' State Insurance Act, 1948 shall come into force in certain areas of the State of Madras.
338	S.R.O. 3485, dated the 9th November 1955.	Election Commission, India.	Amendment made in the notification No. 157/9/55 (1) dated the 22nd October 1955.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****ELECTION COMMISSION, INDIA***New Delhi, the 8th November 1955*

S.R.O. 3490.—In pursuance of sub-rule (5) of rule 114 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951, the name of the person shown in column 1 of the Schedule below who having been nominated as a candidate for election to the House of the People from the constituency specified in column 3 thereof at the bye-election held in August, 1955 and the name of the person specified in column 2 of the said Schedule who having acted as the election agent of the candidate specified in column 1, have, in accordance with the decision given by the Election Commission under sub-rule (4) of the said rule, failed to lodge the return of election expenses in the manner required and have thereby incurred the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), are hereby published:—

SCHEDULE

Name of the candidate	Name of the election agent	Name of constituency
1	2	3
Shri G. A. Vadivelu s/o Shri Venkatachala Naidu, A. Gollahalli, Dharmapuri, Taluk.	Shri M. Surendran, c/o Praja Socialist Party Office, Mettur Dam.	Dharmapuri.

[No. MD-P/55(6) Bye.]

By order,

P. S. SUBRAMANIAN, Secy.

MINISTRY OF HOME AFFAIRS*New Delhi-2, the 9th November 1955*

S.R.O. 3491.—In exercise of the power conferred by sub section (6) of section 401 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Central Government hereby makes the following rules:—

1. Where a petition for suspension of the execution of a sentence of imprisonment or for remission of the whole or part of a sentence of imprisonment is made by or on behalf of a person sentenced to imprisonment for an offence against any law relating to a matter to which the executive power of the Union extends and the person sentenced to such sentence of imprisonment is in Jail, the execution of the sentence shall be suspended and such person released on parole, subject to the conditions specified in rule 3, for such period, not exceeding fifteen days, as may be necessary for obtaining the orders of the Central Government on the petition, if the State Government of the State in which such person is detained in jail is satisfied that the immediate release of such person on parole is rendered necessary by reason of any illness constituting a grave threat to the life of such person or of a parent, wife, husband or child of such person.

2. A State Government ordering a release under rule 1 shall forthwith report the full facts and circumstances of the case to the Central Government while forwarding the petition to the Central Government and the Central Government may on consideration of the report and petition make such order as they deem fit.

3. A person released on parole under rule 1 shall enter into a bond undertaking to reside during the period of his parole at a place specified therein and not depart therefrom without the previous permission of the State Government and to return to the jail in which he is confined on expiry of the period of his parole, and to conform to such other conditions as the State Government may consider necessary.

[No. 40/32/55-Jud.I.]

GULZAR SINGH, Under Secy.

New Delhi-2, the 11th November 1955

S.R.O. 3492.—In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government hereby makes the following further amendments in the Registration of Foreigners Rules, 1939, the same having been previously published as required by the said section, namely:—

In the said Rules,—

(a) in rule 14,—

- (i) in clause (a) of sub-rule (i) the words 'complete, or' shall be omitted;
- (ii) in clause (a) of sub-rule (3) the words "complete, or" shall be omitted;
- (iii) in sub-rule (4) the words and letter 'or in Form C' shall be omitted;
- (iv) in sub-rule (6) after the word and letter "Form C" the words "duly completed from the particulars furnished by such a foreigner," shall be inserted;

(b) in rule 15, to sub-rule (1) the following proviso shall be added, namely:—

"Provided that a foreigner who has not obtained the said endorsement from the Registration Officer of the district in which his registered address is situated, may, in exceptional circumstances make a report to the Registration Officer of the place from which the vessel leaves India at least 24 hours before his intended departure and obtain the said endorsement from that Registration Officer, to whom he shall surrender his certificate of Registration at the time of his departure."

(c) for rule 16, the following rule shall be substituted, namely:—

"16. Obligations of masters of vessels, etc.—(1) The pilot of any aircraft arriving at or leaving any place in India or the person having the management of such aircraft shall—

- (a) require any person who intends to disembark from, or embark on, that aircraft for the purpose of entering or leaving India, as the case may be, to furnish in writing a true statement of the particulars set out in Form F or Form E, as the case may be;
- (b) cause Form F or Form E, as the case may be, when so completed to be delivered to the Registration Officer of the place of arrival or departure;
- (c) take steps to ensure that no foreigner embarks until authorised so to do by the Registration Officer;
- (d) if so requested by the Registration Officer, require any foreign passenger about to depart from India to surrender his Certificate of Registration, and deliver such Certificate to the Registration Officer;
- (e) if so required by the Registration Officer, furnish on arrival at the said place a true statement in writing showing the name and nationality of every member of the crew employed on such aircraft, and at the time of departing from such place take such steps as the Registration Officer may specify to ascertain whether or not any such member of the crew as aforesaid who is a foreigner is about to depart on board such aircraft; and
- (f) generally, render to the Registration Officer such assistance as he may reasonably require for carrying out the purposes of the Act and these rules.

(2) The master or the person having the management of any vessel arriving at or leaving any place in India by sea shall—

- (a) before any passenger disembarks or embarks, supply to the Registration Officer of the place of arrival in, or departure from, India a passenger manifest in Form G;

- (b) require every foreign passenger who is about to disembark in India to complete, or furnish the particulars required for the completion of, items 2 to 15 of Form A or items 1 to 13 of Form D, as the case may be, and direct him to attend at such place and time as may be specified by the Registration Officer for the purpose of giving him the direction prescribed by clause (b) of sub-rule (1) of rule 6;
 - (c) take steps to ensure that no foreigner embarks until authorised so to do by the Registration Officer;
 - (d) if so requested by the Registration Officer, require any foreign passenger about to depart from India to surrender his Certificate of Registration, and deliver such Certificate together with the passenger manifest in Form G to the Registration Officer;
 - (e) if so required by the Registration Officer, furnish on arrival at the said place a true statement in writing showing the name and nationality of every seaman employed on such vessel, and at the time of departing from such place take such steps as the Registration Officer may specify to ascertain whether or not any such seaman as aforesaid who is a foreigner is about to depart on board such vessel; and
 - (f) generally render to the Registration Officer such assistance as he may reasonably require for carrying out the purpose of the Act and these rules.
- (3) Every particular, other than the signature of a foreign passenger, which is required by this rule to be recorded in Form A, D, E or F, as the case may be, shall be recorded—
- (a) if the passenger is able to write in the English language, by the passenger and in the English language;
 - (b) if the passenger is unable to write in the English language, by the master of the vessel or the person having the management of such vessel or by any seaman authorised in this behalf by such master or person in the English language or, where no such person as aforesaid is able to write in the English language, in an Indian language;
- (4) If a foreign passenger does not understand the English language, it shall be the duty of the master of the vessel, if so requested, to explain to the foreign passenger the requirements of this rule;
- (5) Form G shall be completed in the English language or, where no seaman on board the vessel, is able to write in the English language, in an Indian language;
- (6) Copies of Forms E, F and G may be obtained, on application, from any Registration Officer.”;
- (d) for Forms E, F and G the following Forms shall be substituted, namely:—

“Registration of Foreigners Rules, 1939

FORM E

Important:—This card must be filled in by the passenger before embarking by Air.

(Embarkation Card)

(See Rules 15 and 16)

Name of Air Company

Name of Aircraft

Port of dis-embarkation abroad

1. Name in full: Mr./Mrs./Miss (in block letters)
2. Nationality
3. Nationality at birth
4. Date of birth
5. Place of birth
6. No. of passport
7. Place of issue
8. Date of issue

9. Country of residence (Usual or permanent)
10. Occupation
11. Purpose of visit
12. Address in India
13. Port of departure

Date

Signature.

Reverse

For Official use only

Number, date and place of issue of Registration Certificate.....
 District of Registration.....
 Remarks of Registration Officer.....

Registration of Foreigners Rules, 1939

FORM F

Important :—This card must be filled in by the passenger before disembarking in India by Air.

(Disembarkation Card)

(See Rule 16)

Name of Air Company

Name of Aircraft

Port of Embarkation

1. Name in full: Mr./Mrs./Miss (in block letters)
2. Nationality
3. Nationality at birth
4. Manner and date of acquiring present nationality
5. Date of birth
6. Place of birth
7. No. of passport
8. Place of issue
9. Date of issue
10. Country of residence (Usual or permanent)
11. Occupation
12. Purpose of visit
13. Duration of proposed stay in India
14. Address in India
15. Address of last residence outside India
16. Port of arrival.

Reverse

17. Height.
18. Colour of eyes
19. If a member of your country's naval, military or air force, or their reserves, state which, and rank held.

Date

Signature.

For Official use only

Number and date of Registration Certificate.....
 Date and place of departure.....

Registration of Foreigners Rules, 1939

FORM G

(Passenger Manifest)

(See Rule 16)

Manifest of passengers embarking from/disembarking in India

Name of shipping company

Name of vessel

Port and date of embarkation/disembarkation.

1	Name in full : Mr./Mrs./Miss (in Block letters)	
2	Nationality.	
3	Nationality at birth.	
4*	Manner and date of acquiring present nationality.	
5	Date of birth.	
6	Place of birth.	
7	Number of passport.	
8	Place of issue.	
	Date of issue.	
10	Country of residence (Usual or permanent)	
11	Occupation.	
12	Purpose of visit.	
13*	Duration of proposed stay in India.	
14	Address in India.	
15*	Address of last residence outside India.	
16	Port of departure/arrival.	
17*	Height.	
18*	Colour of eyes.	
19*	If a member of your country's naval, military or air force, or their reserves, state which, and rank held.	

NOTE:—Items marked with an asterisk are to be completed in respect of disembarking passengers only.

MINISTRY OF EXTERNAL AFFAIRS*New Delhi, the 27th October 1955*

S.R.O. 3493.—In exercise of the powers conferred by sub-section (1) of section 213 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Central Government hereby extends the application of the Indian Pilgrim Ships Rules, 1933, to the States of Saurashtra and Travancore-Cochin, the proposal in respect of the same having been previously published as required by sub-section (3) of the said section.

[No. F.32(9)-WANA-/55.]

MOHD. YUNUS, Dy. Secy.

New Delhi, the 5th November 1955

S.R.O. 3494.—Petrapole has been approved by the Government of India as a passport checkpost in the place of the one at Bongon. Petrapole-Benapole will henceforth be an authorised route for exit from India to Pakistan and for entry from Pakistan into India under the India Pakistan Passport and Visa Scheme.

[No. F.31/2/55-PSP.]

R. S. CHAVAN, Under Secy.

MINISTRY OF FINANCE**(Department of Economic Affairs)***New Delhi, the 10th November 1955*

S.R.O. 3495.—In exercise of the powers conferred by section 27 of the Foreign Exchange Regulation Act, 1947 (Act VII of 1947), the Central Government hereby makes the following further amendments in the Foreign Exchange Regulation Rules, 1952, namely:—

A. In the First Schedule to the said Rules,—

1. In Form GR 1—

(a) in the Original copy—

(i) for the brackets and words "(Declaration required from exporter before shipping commodities to countries outside India other than Nepal, Tibet, Bhutan and French and Portuguese territories in India)", the following shall be substituted, namely:—

"(Declaration from exporter before shipping commodities to territories outside India other than Nepal, Tibet, Bhutan and Portuguese territories in India)";

(ii) in the foot-note, after the words "All documents relating to export of goods from India must be passed through the medium of an authorised dealer in foreign exchange in India," the words and figures "within 21 days of the date of shipment of the goods" shall be inserted;

(iii) in the notes to exporters, for item (a), the following item shall be substituted, namely:—

"(a) The G.R. Form Procedure applies to exports to all territories outside India excluding Pakistan, Afghanistan, Nepal, Tibet, Bhutan and Portuguese territories in India";

(b) In the Duplicate, Triplicate and Quadruplicate copies—

(i) for the brackets and words "(Declaration required from the exporter before shipping commodities to countries outside India other than Nepal, Tibet, Bhutan and French and Portuguese territories in India)" the following shall be substituted, namely:— "(Declaration required from exporter before Shipping Commodities to territories outside India other than Nepal, Tibet, Bhutan and Portuguese territories in India)";

(ii) in the foot-note, after the words "All documents relating to the export of goods from India must be passed through the medium of an authorised dealer in foreign exchange in India", the words and figures "within 21 days of the date of shipment of the goods" shall be inserted.

2. In Form G.R.2., in the Original, Duplicate, Triplicate and Quadruplicate copies—

- (a) for the words "from a port in the Indian Union" appearing in the portion enclosed in brackets in the beginning the words "from a port in India" shall be substituted;
- (b) for the declaration made by exporters beginning with "We hereby declare " and ending with "to such authorised dealer in the appropriate foreign currency", the following shall be substituted, namely:—

"We hereby declare that we are the sellers/consignors of the goods in respect of which this declaration is made and that the particulars given above are true and

* (a) that the invoice value declared is the full export value of the goods and is the same as that contracted with the buyer;

* (b) that this is a fair valuation of the goods which are unsold and

that our London agents have undertaken to surrender to the Bank of England a certificate from an authorised dealer in foreign exchange in London showing that

(i) the full value of the shipment has been received from an approved Sterling Account in London,

or

(ii) the full value of the shipment has been surrendered to such authorised dealer in the appropriate foreign currency".

3. In Form G.R.3, in the Original, Duplicate and Triplicate copies, for the declaration made by exporters beginning with "We hereby declare " and ending with "specified by the Reserve Bank", the following shall be substituted, namely:—

"I hereby declare that I am the seller/consignor of the goods in respect of which this declaration is made and that the particulars given above are true, and

* (a) that the invoice value declared is the full export value of the goods and is the same as that contracted with the buyer;

* (b) that this is a fair valuation of the goods which are unsold.

I further declare that the amount will be disposed of in a manner and within a period specified by the Reserve Bank".

4. In Form GRX, in the original and Duplicate copies,—

(a) for the declaration made by exporters beginning with "I hereby declare " and ending with "resulting from the export of these goods on or before ", the following shall be substituted, namely:—

"I hereby declare that I am the seller of the goods in respect of which the declaration is made and that the particulars given above are true and that the invoice value declared is the full export value of the goods and is the same as that contracted with the buyer";

(b) the following marginal instructions appearing against the declaration to be made by exporter shall be omitted, namely:—

"Strike out clause not applicable" and "Give approximate date of delivery which must be within six months of export";

(c) in the foot-note, after the words "All documents relating to export of goods from India must be passed through the medium of an authorised dealer in foreign exchange in India", the words and figures "within 21 days of the date of shipment of the goods" shall be inserted.

*Strike out Clause (a) or (b) not applicable.

5. In Form E.P., in the Original, Duplicate and Triplicate Copies—

(a) for the declaration made by exporters beginning with "I hereby declare", and ending with "resulting from the export of these goods on or before", the following shall be substituted, namely:—

"I hereby declare that I am the seller/consignor of the goods in respect of which this declaration is made and that the particulars given above are true, and

(a) that the invoice value declared is the full export value of the goods and is the same as that contracted with the buyer;

(b) that this is a fair valuation of the goods which are unsold.

I/my principals undertake that I/they will deliver to the bank mentioned below the foreign exchange/rupee proceeds resulting from the export of these goods on or before*.....";

(b) in the foot-note, after the words "All documents relating to export of goods from India must be passed through the medium of an authorised dealer in foreign exchange in India", the words and figures "within 21 days of the date of shipment of the goods" shall be inserted.

6. In Form E.P.1, in the Original, Duplicate and Triplicate Copies, for the declaration made by exporters beginning with "We hereby declare....." and ending with "specified by the Reserve Bank", the following shall be substituted, namely:—

"I hereby declare that I am the seller/consignor of the goods in respect of which this declaration is made and that the particulars given above are true, and

* (a) that the invoice value declared is the full export value of the goods and and is the same as that contracted with the buyer;

* (b) that this is fair valuation of the goods which are unsold.

I hereby declare that the amount will be disposed of in a manner and within a period specified by the Reserve Bank".

7. In Form P.P., in the Original, Duplicate and Triplicate Copies—

(a) for the words "to certain countries outside India", appearing in the portion enclosed in brackets in the beginning, the words "to territories outside India other than Nepal, Tibet, Bhutan and Portuguese territories in India" shall be substituted;

(b) for the declaration made by exporters beginning with "I hereby declare", and ending with "in a manner prescribed by the Reserve Bank of India", the following shall be substituted namely:—

"I hereby declare that I am the seller/consignor of the goods in respect of which this declaration is made and that the particulars given above are true, and

(a) that the invoice value declared is the full export value of the goods and is the same as that contracted with the buyer;

(b) that this is a fair valuation of the goods which are unsold.

I/my principals undertake that I/they will deliver to the bank mentioned below the foreign exchange/rupee proceeds resulting from the export of these goods on or before*.....in a manner prescribed by the Reserve Bank of India";

(c) in foot-note (i), after the words "All documents relating to export of goods from India must be passed through the medium of an authorised dealer in foreign exchange", the words and figures "within 21 days of the date of despatch of the goods" shall be inserted".

B. In the Second Schedule to the said Rules, under the heading "B. Bilateral Account Countries",—

*Strike out clause (a) or (b) not applicable.
thereto in the second column shall be omitted; and

(b) in item (ii) the brackets and figures "(ii)" shall be omitted.

*Strike out clause (a) or (b) not applicable.

[No. F.32(1)-E.F.II/55.]

R. P. CAPOOR, Under Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

INCOME-TAX

New Delhi, the 7th November 1955

S.R.O. 3496.—The International Society of Sugar Cane Technologists having been approved by the prescribed authority for the purpose of clause (xiii) of sub-section (2) of section 10 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government hereby makes the following further amendment in the list appended to the notification of the Government of India in the late Finance Department (Revenue Division) No. 34-Income-tax dated the 23rd November, 1946, namely:—

In the said list, under the heading "Agricultural Research Associations", after item No. 33, the following item shall be inserted, namely:—

"34. The International Society of Sugarcane Technologists."

[No. 88.]

P. N. DAS GUPTA, Dy. Secy

CUSTOMS

New Delhi, the 9th November 1955

S.R.O. 3497.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (VIII of 1878), and in partial modification of the notification of the Government of India in the Ministry of Finance (Revenue Division), Nos. 69 and 70, dated the 29th September 1951, and No. 6-Customs, dated the 18th January 1952, as subsequently amended by notification No. 36-Customs, dated the 13th March, 1952, the Central Government hereby appoints the Collector of Customs, Bombay, to be the Chief Customs Officer of Sea Customs and Customs Collector for the places specified in Column (1) of the Schedule hereto annexed, which are deemed under sub-section (2) of section 4 of the Inland Bonded Warehouses Act, 1896 (VIII of 1896), to be customs ports and warehousing ports in relation to the factories specified in the corresponding entries in column (2) of the said Schedule, licensed as private warehouses under the Inland Bonded Warehouses Act, 1896 (VIII of 1896), and to exercise the powers conferred, and perform the duties imposed, by the said Act on him.

THE SCHEDULE

<i>Name of place</i> (1)	<i>Name of factory</i> (2)
1. Agra Road, Bhandup.	The Automobile Products of India.
2. Agra Road, Kurla North, Bombay.	The Premier Automobiles Ltd.
3. Chakala, Andheri, Bombay.	Godfrey Phillips India Ltd.

[No. 180.]

New Delhi, the 19th November 1955

S.R.O. 3498.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance (Revenue Division), No. 99-Customs, dated the 8th June 1955, namely:—

In the said notification, the portion beginning with "of any book, magazine, pamphlet, leaflet, newspaper or other like publication" and ending with "or in any other manner whatsoever" shall be lettered as clause (a) and after the clause as so lettered, the following word and clause shall be added, namely:—"or

(b) of any block, photographic negatives, original drawings and processed "mats" for casting metal or plastic stereos, for the reproduction of any such book, magazine, pamphlet, leaflet, newspaper or other like publication".

[No. 181.]

E. S. KRISHNAMOORTHY, Jt. Secy.

ORDER

STAMPS

New Delhi, the 10th November 1955

S.R.O. 3499.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remits the whole of the stamp duty chargeable under the said Act on the lease deed dated the 30th September, 1955, executed in favour of the High Commission for the United Kingdom in India in respect of the upper and lower flats situated at 109/48 Chanakyapuri, New Delhi.

[No. 21.]

C. T. A. PILLAI, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 11th November 1955

S.R.O. 3500.—[50/63/54-IT].—In pursuance of sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in its Notification No. 32-Income-tax, dated the 9th November, 1946, namely:—

In the Schedule appended to the said Notification under the sub-head 'II Bombay City', against "Bombay Range 'E'", the following Income-tax Circle shall be added, namely:—

"Evacuées Circle".

[No. 90.]

K. B. DEB, Under Secy.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 4th November 1955

S.R.O. 3501.—In partial modification of this Ministry's Resolution No. Ch. Ind-33(11)/52, dated the 11th October, 1955, published in the Gazette Extraordinary of the Government of India dated the 11th October, 1955, the Government of India hereby directs that in the absence abroad of Shri S. L. Venkiteswaran, Deputy Development Officer, Development Wing, Ministry of Commerce and Industry, Shri V. A. Mehta, Assistant Development Officer (Food), Development Wing, will act as Member Secretary of the Committee on the Alcohol Industry.

[No. CH. IND. 33(11)/52.]

B. B. SAKSENA, Joint Secy.

MERCHANDISE MARKS

New Delhi, the 9th November 1955

S.R.O. 3502.—(IMM-12A).—The following draft of a notification, which it is proposed to issue in exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889), is published as required by sub-section (4) of the said section, for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 12th December 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Notification

In exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889), the Central Government, being satisfied on inquiry that it is necessary in the public interest so to do, directs with effect from the ————— as follows, namely:—

1. Subject to the provisions of sub-section (5) of Section 12A of the said Act, the classes of goods specified in column 2, of the Schedule hereto annexed, which

are made or produced within the limits of India, shall, at the time of sale, whether by wholesale or retail, have applied to them in the English language the indication 'Made in India' in the manner specified in the corresponding entry in column 3, of the said Schedule.

2. Where due to the smallness of the size of the goods or otherwise it is impracticable to mark the country of origin on the goods themselves, or where it is not possible to do so without adversely affecting the quality of the goods, or without undue expenditure, the indication may be applied on the wrapper, container, covering or label attached to such goods.

3. In this notification:—

- (a) the expression "containers" or "coverings" includes a wrapper, cover, band, packet, box, carton, capsule, stopper, cork, top, frame, case, tin, can, phial, bottle, jar, vessel or any other covering or container in or with which the goods of any class specified in the Schedule are sold or exposed for sale;
- (b) "label" includes any ticket, band, card or tag;
- (c) "applied" includes attached, enclosed, annexed, inserted, secured, fastened, stitched or sewn.

4. The classes of goods mentioned in the Schedule to this notification are supplementary to those mentioned in Part II of the Schedule to S.R.O. 440, dated the 31st March, 1951.

5. In regard to items Nos. 13 and 25 of the Schedule, the inspection to be applied to them shall be "Container made in India".

SCHEDULE

Item No.	Class of goods	Manner in which the indication shall be applied
1	2	3
1	Steel Files	On the goods themselves.
2	Gramophone Needles	On the containers.
3	Coated Abrasives	On the goods themselves.
4	Parts spare parts and accessories of machinery of all kinds.	On the containers, or coverings or otherwise
5	Parts, spare parts and accessories of motor Vehicles.	On the containers, or coverings or otherwise.
6	Parts, spare parts and accessories of All Internal-combustion Engine.	On the containers, or coverings or otherwise.
7	Pumps	On the goods themselves.
8	Electrical Equipment	On the goods themselves.
9	Bolts, Nuts and Rivets	On the containers, or coverings or otherwise.
10	Woodscrews and Machine Screws	On the containers, or coverings or otherwise.
11	Belting	On the goods themselves.
12	B.R.C. and other fabrics	On the bundles, containers or coverings.
13	Tin Containers	On the goods themselves.
14	Grinding Media	On the containers.
15	Sealfast Seal	On the goods themselves.
16	Welding Electrodes	On the containers, or coverings or otherwise.

1	2	3
17. Fountain Pens		On the goods themselves.
18. Tooth Brushes		On the goods themselves.
19. Duplicators		On the goods themselves.
20. (a) Rubber Manufactures.		On the goods themselves.
(b) Tennis Balls		On the containers.
(c) Prophylactics		On the containers.
21. Grinding Wheels		On the goods themselves.
22. Split Cotter pin and taper Cotter pin		On the cartons, containers and/or coverings.
23. Safety pins		On the cartons, containers and/or coverings.
24. Gate hooks and eyes		On the cartons, containers and/or coverings.
25. Steel drums and barrels		On the goods themselves.
26. Razor blades		On the goods themselves.
27. Grinding stones		On the label pasted.
28. Trailers.		On the goods themselves.
29. Boilers		On the goods themselves.
30. Tools (Garage equipment)		On the goods themselves.
31. Blowers (Industrial)		On the goods themselves.
32. Hurricane Lanterns.		On the goods themselves.

[No. 3(49)-TMP(MM)/54.]

S. A. TECKCHANDANI, Dy. Secy.

MINISTRY OF HEALTH*New Delhi, the 8th October 1955*

S.R.O. 3503.—In exercise of the powers conferred by sub-clause (v) clause (c) of section 2 of the Delhi Joint Water and Sewage Board Act, 1928 (XXIII of 1928), the Central Government hereby declares the West Delhi Municipal Committee to be a constituent body.

[No. F. 43-8/55-PH.]

A. V. VENKATASUBBAN, Dy. Secy.

MINISTRY OF WORKS HOUSING AND SUPPLY
(Central Boilers Board)*New Delhi, the 9th November 1955*

S.R.O. 3504.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), the Central Boilers Board hereby makes the following further amendments in the Indian Boilers Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In regulation 385 of the said Regulations, for the entry "For Boiler Rating exceeding 10,000....300/-" the following entries shall be substituted, namely:—

	Rs.
For Boiler Rating exceeding 12,000 but not exceeding 12,000	300
For Boiler Rating exceeding 12,000 but not exceeding 14,000	320
For Boiler Rating exceeding 14,000 but not exceeding 16,000	340
For Boiler Rating exceeding 16,000 but not exceeding 18,000	360
For Boiler Rating exceeding 18,000 but not exceeding 20,000	380
For Boiler Rating exceeding 20,000 but not exceeding 22,000	395
For Boiler Rating exceeding 22,000 but not exceeding 24,000	410
For Boiler Rating exceeding 24,000 but not exceeding 26,000	425
For Boiler Rating exceeding 26,000 but not exceeding 28,000	440
For Boiler Rating exceeding 28,000 but not exceeding 30,000	455

Above 30,000 for every 2,000 or part thereof, an additional fee of Rs. 10 shall be charged."

[No. BL-304(3)/54.]

S.R.O. 3505.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), the Central Boilers Board hereby makes the following further amendments in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In the Note to regulation 281 of the said Regulations, for the sentence "In water tube and horizontal multitubular boilers a low water alarm should be fitted", the following sentence shall be substituted, namely:—

"In Water Tube and Horizontal Multitubular Boilers, a low water alarm directly operated by steam should be fitted."

[No. BL-304(6)/54.]

M. N. KALE, Secy.

MINISTRY OF REHABILITATION

New Delhi, the 8th November 1955

S.R.O. 3506.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri P. C. Bhatnagar, District Relief and Rehabilitation Officer, Lucknow, as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, for the period Shri A. N. Dixit, District Relief and Rehabilitation Officer Lucknow remained on leave.

[No. 3/29/55-SII:(II).]

New Delhi, the 10th November 1955

S.R.O. 3507.—In exercise of the powers conferred by clause (a) of sub-section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints the persons specified in column 2 of the Schedule hereto annexed to the post of managing officers with effect from the 20th September, 1955, for the custody, management and disposal of the evacuee properties in Punjab, within their jurisdiction, acquired under Section 12 of the said Act by virtue of notifications of the Government of India in the Ministry of Rehabilitation Nos. S. III-19(44)/54-I, S. III-19(44)/54-II, dated the 24th March, 1955, S. III-19(44)/54-I, dated the 12th July, 1955 and S. III-19(44)/54, dated the 6th September, 1955.

THE SCHEDULE

S. No.	Name of the person appointed
1.	Shri Sant Ram Dhawan.
2.	Shri Daljit Singh Keer, B.A., LL.B.

[No. S.III.7(10)/55.]

S.R.O. 3508.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri V. N. Gidwani, as Settlement Officer, for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took over charge of his office.

[No. 6/66/55-SII.]

M. L. PURI, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 9th November 1955

S.R.O. 3509.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 12 of the Mines Act, 1952 (XXXV of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour, No. S.R.O. 998, dated the 30th June, 1951, the Central Government hereby nominates Shri S. K. Shrivastava, I.A.S., President, Board of Revenue, Government of Madhya Pradesh as the Chairman of the Mining Board constituted for the State of Madhya Pradesh.

[No. M-43(1)/55.]

S.R.O. 3510.—In pursuance of section 8 of the Minimum Wages Act, 1948 (XI of 1948) and rule 3 of the Minimum Wages (Central Advisory Board) Rules, 1949, made under section 29 of the said Act, the Central Government hereby nominates Shri B. P. Pathak, Secretary to the Government of Madhya Pradesh, Labour Department, Nagpur, to be a member of the Central Advisory Board, reconstituted in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 1799, dated the 8th August, 1955, in the vacancy caused by the resignation of Dr. S. S. Kulkarni, Deputy Minister for Labour, Government of Madhya Pradesh, Nagpur, and directs that the following amendment shall be made in the said notification, namely:—

Under the heading "Independent Members", for the entry "(6) Dr. S. S. Kulkarni, Deputy Minister for Labour, Government of Madhya Pradesh, Nagpur", the entry "(6) Shri B. P. Pathak, Secretary to the Government of Madhya Pradesh, Labour Department, Nagpur", shall be substituted.

[No. LWI-68(13)/54.]

P. D. COMMAR, Under Secy.

New Delhi, the 9th November 1955

S.R.O. 3511 [CDLB (2) (1)/55].—In pursuance of sub-clause (3) of clause 4 of Calcutta Dock Workers (Regulation of Employment) Scheme, 1951, the Central Government has appointed Shri W. R. B. Sample with effect from the 1st November, 1955, as a member of the Calcutta Dock Labour Board in the vacancy caused by the resignation of Shri M. A. Nicolson with effect from that date, and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 1908, dated the 7th September, 1955, namely:—

In the said notification, under the heading

*"Members representing the employers of
dock workers and shipping companies"*

for item (3), the following item shall be substituted, namely:—

“(3) Shri W. R. B. Sample, Representative of the Calcutta Liners' Conference, Calcutta/U.S.A. Conference, Calcutta Continental Conference and the Bay of Bengal/Japan/Bay of Bengal Conference.”

[No. F.Fac.74(64)/55.]

K. N. NAMBIAR, Under Secy.

New Delhi, the 9th November 1955

S.R.O. 3512.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the Bombay Mutual Life Assurance Society, Limited, Bombay, and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

Reference No. 9 of 1955

PRESENT:

Shri P. S. Bindra, B.A. LL.B., *Chairman.*

PARTIES:

The employers in relation to the Bombay Mutual Life Assurance Society Limited, Bombay, and
 Their workmen.

APPEARANCES:

For the Employers:

Shri N. A. Palkhiwala, Advocate, and
 M/S. Manilal Kher Ambalal and Co., Solicitors.

For the workmen:

Shri K. T. Sule.
 Shri N. K. Patkar.
 Shri P. P. Patil.
 Shri S. D. Samant.
 Shri S. N. Bhowmik.

AWARD

The Government of India, in the Ministry of Labour, by Order No. LR.90(11)/55, dated 30th April, 1955, has referred to this Tribunal for adjudication the dispute concerning payment for overtime work between the employers in relation to the Bombay Mutual Life Assurance Society Limited, Bombay, and their workmen.

Usual notices were issued and the parties have filed their respective written statements.

The first point for determination is whether the reference relates to the workmen employed at the Head Office or the workmen employed in all the branches of the company. The words used are "dispute concerning the payment of overtime work between the employers in relation to the Bombay Mutual Life Assurance Society Limited, Bombay, and their workmen." On behalf of the management it is argued that the word "Bombay" specifies that it relates only to the workmen employed at Bombay, while on behalf of the workmen it is urged that Bombay is only a description of the company and the dispute is regarding the workmen employed in all the branches of the company. There was also a dispute between the workmen and the same Society regarding bonus which has been referred to this Tribunal by Order No. LR.90(31)/54, dated 20th December 1954, and the words used there are as follows:—

"an industrial dispute exists between the employers in relation to the Bombay Mutual Life Assurance Society Limited, and their workmen in the Head Office and the branches in respect of bonus for the years 1952 and 1953."

From the above it appears that when the Government intended that the dispute regarding all the workmen is to be decided it particularly made a reference to all the branches, but in the present case, there is no reference to any branch. Anyhow, the name of the company by itself was sufficient to fix its identity, and I think the word 'Bombay' has been added to limit the dispute to the workmen at Bombay. The report made by the Conciliation Officer, Bombay, about the failure of the conciliation proceedings, also shows that the demand was made only about the workmen employed at Bombay. Under the circumstances, I am of opinion that the present reference only covers the workmen employed at Bombay.

The management has also raised a preliminary objection that the Bombay Shops and Establishments Act 1948 governs the question of overtime payment but this objection was given up by the Society at the time of hearing. There is also no force in the contention that the award given by Shri M. C. Shah in 1949 is binding on the parties. The Government has got powers to refer the disputes irrespective of any previous awards or settlements.

So far as the merits of the case are concerned, the company is paying overtime at the basic rate of salary excluding dearness allowance which means that even the normal wages are not paid when a workman is required to work overtime. The working hours of the clerical staff of the company are from 10-30 A.M. to 5-30 P.M. with a break of one hour (6 hours) for week days while on Saturdays the working hours are 10-30 A.M. to 1-30 P.M. (3 hours). The lower grade staff has to work 7½ hours a day.

The workmen have claimed double the rate of the emoluments (basic salary plus dearness allowance) for doing overtime work. The workmen have filed the statement marked A/1 which gives the rates of overtime payments regarding 14 insurance companies which are as follows:—

"Name of the company	Rate of overtime payment.
1. Asian Assurance Co. Ltd.	1½ times the basic salary plus D.A.
2. All-India General Insurance Co. Ltd.	1½ times the basic salary.
3. Bombay Life Assurance Co. Ltd.	Rs. 4 flat per day.
4. General Assurance Society Ltd.	(a) 1½ times basic salary on working day. (b) 2 times the basic salary on holiday.
5. Hindustan Co-operative Insurance Society Ltd.	(a) Half Day's wages including D.A. for two hours work on working day. (b) Full day's wages including D.A. for three hours work on holidays. (On holidays there will not be overtime work for more than three hours on holidays)
6. Indian Globe Insurance Co. Ltd.	1½ times the basic salary with D.A.
7. Jupiter General Insurance Co. Ltd.	1½ times the basic salary with D.A.
8. National Insurance Co. Ltd.	Full day's salary with allowance for every three hours of work and part thereof.
9. New India Assurance Co. Ltd.	Pro-rata basic salary plus D.A. upto 48 hours in a week and 1½ times the basic salary plus D.A. after 48 hours in a week. (NOTE.—Hourly wage is calculated by dividing total monthly wages by the number of scheduled working hours in the month.)
10. Neptune Assurance Co. Ltd.	2 times the basic salary.
11. Oriental Govt. Security Life Assurance Co. Ltd.	Pro rata basic salary. The hourly wage being calculated by dividing monthly basic wages by number of scheduled working hours in the month. In case of Sunday, 1½ rate plus a compensatory holiday.
12. Sentinel Assurance Co. Ltd.	1½ times the basic salary with D.A.
13. Universal Fire & Gen. Insurance Co. Ltd.	1½ times the basic salary.
14. Vishwabharati Insurance Co. Ltd.	1½ times the basic salary with D.A.

The rate given above regarding Bombay Life Assurance Co. Ltd. is not correct which has been correctly given in the statement R/3 filed by the Society and it runs as follows:—

"3. Bombay Life Assurance Co. Ltd. . . . In their case no overtime work is required on working days. If any employee chooses to work overtime on a working day, he does so without getting any payment. On Saturdays, overtime work for the remaining half day is remunerated at the flat rate of Rs. 2. Over time work on other holidays is remunerated at the rate of Rs. 4 (flat) per day. Their normal working hours are 6½ hours per day."

The management has filed a statement of rates regarding Oriental and New India Assurance Companies marked R/1 which runs as follows :—

	Hours of work		Overtime wages
	Clerical	Lower Grade staff	
Oriental .	6½ hours on Mondays to Fridays (excluding 1 hour lunch interval). 3½ hours on Saturdays without any lunch interval.	8 hours on Mondays to Fridays (excluding lunch interval). 5½ hours on Saturdays (excluding lunch interval).	For work more than ½ hour beyond the prescribed hours on the basis of basic wages without dearness allowance. For work more than 9 hours on any day or 48 hours in any week 1½ times the salary and dearness allowance for the work done in excess 9 hours on any day.
New India .	6½ hours on Mondays to Fridays (excluding lunch interval for one hour). 3½ hours on Saturdays without any lunch interval.	7 hours on Mondays to Fridays (excluding lunch interval for one hour). 4 hours on Saturdays without any lunch interval.	At ordinary rate of wages from the 37th hour upto 48th hour maximum permissible under the Bombay Shop Act. The hourly rate is arrived at by dividing the monthly emoluments of an employee i.e. basic salary plus dearness allowance by the total scheduled working hours in a given month.

The above figures show that the working hours for the clerks in the Society in dispute are less as compared with Oriental and New India. In Oriental a clerk has to work 6½ hours on week days and 3½ hours on Saturdays. In New India a clerk has to work for 6½ hours on week days and 3½ hours on Saturdays while in the Society in dispute a workman has to work 6 hours on week days and 3 hours on Saturdays. Under the circumstances, the demand of the Society that there should be some cushioning period is justified and I am of opinion that no overtime be granted if a clerk has to sit for half hour beyond his normal working hours.

If a clerk is made to sit after the cushioning period then his overtime will commence after working 6 hours on week days and 3 hours on Saturdays. So far as the wages for overtime are concerned, considering all the facts, I am of opinion that he entitled to 1½ times their basic salary plus dearness allowance. The society has also entered into an agreement with its employees employed at Calcutta on these lines. The monthly wage will be divided by 25 days in order to work out the daily emoluments. If a clerk is made to work on any Sunday then he will also be entitled to 1½ times his normal wage besides a compensatory holiday. The total working hours in a week will not exceed 48 hours in any case. So far as the lower grade staff is concerned (non-clerical) there will be no cushioning period regarding them, but they will be paid overtime 1½ times their wages (basic salary and dearness allowance) if they work beyond 7½ hours. If they are required to work on Sundays they will also be entitled to a compensatory holiday.

The Society has urged that the clerks are deliberately reducing their output to gain overtime payment. The remedy lies in charge-sheeting and punishing these clerks whose output falls short of normal or average output.

I pass my award accordingly.

The 31st October, 1955.

(Sd.) P. S. BINDRA, *Chairman*.

[No. LR.90(11)/55.]

P. S. EASWARAN, *Under Secy.*